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**BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)
Against:)

Phillipa Zylanoff, M.D.)

File No. D1-1997-81562

Physician's and Surgeon's)
Certificate No. G 34223)

Respondent)
_____)

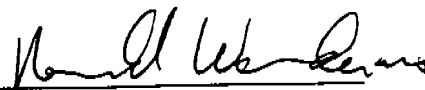
DECISION

The attached **Stipulated Settlement and Disciplinary Order** is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 28, 2003

IT IS SO ORDERED February 26, 2003

MEDICAL BOARD OF CALIFORNIA

By: 
Ronald Wender, M.D.,
Chair
Panel B
Division of Medical Quality

1 **BILL LOCKYER, Attorney General**
of the State of California
2 **SAMUEL K. HAMMOND, State Bar No. 141135**
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7 Attorneys for Complainant
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9

10 **BEFORE THE**
11 **DIVISION OF MEDICAL QUALITY**
12 **MEDICAL BOARD OF CALIFORNIA**
13 **DEPARTMENT OF CONSUMER AFFAIRS**
14 **STATE OF CALIFORNIA**

14 In the Matter of the Petition to Revoke Probation
Against:

15 **PHILLIPA LOUISE ZYLANOFF, M.D.**
16 17311 Beechwood
Beverly Hills, MI 48025

17 Physician's and Surgeon's
18 Certificate No. G 34223

19 Respondent
20

Case No. D1-1997-81562

**STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER**

21 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to
22 the above-entitled proceedings that the following matters are true:

23 1. An Accusation and Petition to Revoke Probation in Case No. D1-1997-
24 81562 was filed with the Division of Medical Quality, of the Medical Board of California,
25 Department of Consumer Affairs (the "Division"), on April 3, 2002, and is currently pending
26 against Phillipa Louise Zylanoff, M.D. (the "respondent").

27 2. The Accusation and Petition to Revoke probation, together with all
28 statutorily required documents, was duly served on the respondent on or about April 3, 2002, and

1 respondent has filed a Notice of Defense contesting the Accusation. A copy of the Accusation
2 and Petition to Revoke Probation is attached as Exhibit "A" and hereby incorporated by reference
3 as if fully set forth.

4 3. Complainant, Ron Joseph, is the Executive Director of the Medical Board
5 of California and brought this action solely in his official capacity. The Complainant is
6 represented by the Attorney General of California, Bill Lockyer, by and through Deputy Attorney
7 General Samuel K. Hammond.

8 4. At all times relevant herein, respondent has been licensed by the Medical
9 Board of California under Physician's and Surgeon's Certificate No. G 34223. On April 30,
10 1998, the Division filed Accusation No. 16-1997-81562 against respondent. On August 27,
11 1998, the Division issued its Decision in Case No.16-1997-81562. The Decision which became
12 effective on September 28, 1998, placed respondent's physician's and surgeon's certificate on
13 probation for five (5) years under specified terms and conditions.

14 5. Respondent represents herself in this matter. Respondent has fully read
15 and discussed the charges contained in the Accusation. Respondent fully understands the effects
16 of this Stipulated Settlement and Disciplinary Order.

17 6. Respondent understands the nature of the charges alleged in the
18 Accusation and Petition to Revoke probation and that, if proven at hearing, the charges and
19 allegations would constitute cause for imposing discipline upon her Physician's and Surgeon's
20 Certificate. Respondent is fully aware of her right to a hearing on the charges contained in the
21 Accusation and Petition to Revoke Probation, her right to confront and cross-examine witnesses
22 against her, her right to the use of subpoenas to compel the attendance of witnesses and the
23 production of documents in both defense and mitigation of the charges, her right to
24 reconsideration, court review and any and all other rights accorded by the California
25 Administrative Procedure Act and other applicable laws.

26 7. Respondent knowingly, voluntarily and irrevocably waives and gives up
27 each of these rights.

28 ///

1 8. Respondent admits the allegations and charges in Accusation and Petition
2 to Revoke Probation No. D1-1997-81562, and further agrees she has subjected her Physician's
3 and Surgeon's Certificate to disciplinary action. Respondent agrees to be bound by the Division's
4 Disciplinary Order as set forth below.

5 9. The admissions made by respondent herein are for the purpose of this
6 proceeding and any other proceedings in which the Division of Medical Quality, Medical Board
7 of California, or other professional licensing agency is involved, and shall not be admissible in
8 any other criminal or civil proceedings. Parties agree that facsimile copies of this stipulation in
9 settlement, including signatures of the parties, may be used in lieu of the original documents and
10 signatures. The facsimile copies have the same force and effect as the originals.

11 10. This Stipulated Settlement and Disciplinary Order is intended by the
12 parties herein to be an integrated writing representing the complete, final and exclusive
13 embodiment of the agreements of the parties.

14 11. Based on the foregoing admissions and stipulated matters, the parties agree
15 that the Division shall, without further notice or formal proceeding, issue and enter the following
16 order:

17
18 **DISCIPLINARY ORDER**

19 **IT IS HEREBY ORDERED** that the probation granted respondent Phillipa
20 Louise Zylanoff, M.D., is extended two (2) years from the original date probation was to have
21 expired pursuant to Board's Decision in Case No. 16-1997-81562 which became effective
22 September 28, 1998. The probationary conditions in Case No. 16-1997-81562 remain in full
23 force and effect throughout the extended probation period. In addition, respondent shall be
24 subject to the additional probation condition listed under paragraph 1, below. Within 15 days
25 after the effective date of this Decision the respondent shall provide the Division, or its designee,
26 proof of service that respondent has served a true copy of this decision on the Chief of Staff or
27 the Chief Executive Officer at every hospital where privileges or membership are extended to
28 respondent or where respondent is employed to practice medicine and on the Chief Executive

1 Officer at every insurance carrier where malpractice insurance coverage is extended to
2 respondent.

3 1. **COST RECOVERY:** Respondent is hereby ordered to reimburse the
4 Division the amount of three thousand five hundred dollars (\$3,500) for its investigative and
5 prosecution costs. The costs may be paid by instalment provided however, that the entire amount
6 shall be paid within 12 months of the effective date of this Decision. The costs are in addition to
7 reimbursement costs respondent was obligated to pay pursuant to Board's Decision in Case No.
8 16-1997-81562. Failure to reimburse the Division's costs shall constitute a violation of the
9 probation order, unless the Division agrees in writing to payment by an installment plan because
10 of financial hardship. The filing of bankruptcy by the respondent shall not relieve the respondent
11 of her responsibility to reimburse the Division for its costs.

12 **CONTINGENCY**

13 This stipulation shall be subject to the approval of the Division of Medical
14 Quality. Respondent understands and agrees that Board staff and counsel for complainant may
15 communicate directly with the Division regarding this stipulation and settlement, without notice
16 to or participation by respondent or his counsel. If the Division fails to adopt this stipulation as
17 its Order, the stipulation shall be of no force or effect, it shall be inadmissible in any legal action
18 between the parties, and the Division shall not be disqualified from further action in this matter
19 by virtue of its consideration of this stipulation.

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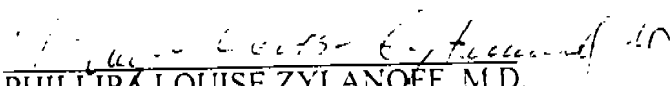
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1 **ACCEPTANCE**

2 I have read the above Stipulated Settlement and Disciplinary Order. I understand
3 the effect this Stipulated Settlement and Disciplinary Order will have on my Physician's and
4 Surgeon's Certificate, and agree to be bound thereby. I enter this stipulation freely, knowingly,
5 intelligently and voluntarily.

6
7 DATED: 23 June 2003

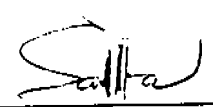
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9 
10 PHILLIPA LOUISE ZYLANOFF, M.D.
11 Respondent

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13
14 **ENDORSEMENT**

15 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
16 submitted for the consideration of the Division of Medical Quality, Medical Board of California
17 Department of Consumer Affairs.

18
19 DATED: 1/6/03

20
21 BILL LOCKYER, Attorney General
22 of the State of California

23 
24 SAMUEL K. HAMMOND
25 Deputy Attorney General

26 Attorneys for Complainant

27
28 Exhibit: Accusation

EXHIBIT A

**Accusation and Petition to Revoke Probation
Case No. D1-1997-81562**

1 BILL LOCKYER, Attorney General
of the State of California
2 SAMUEL K. HAMMOND, State Bar No. 141135
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7 Attorneys for Complainant

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DIVISION OF MEDICAL QUALITY
11 MEDICAL BOARD OF CALIFORNIA
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12 STATE OF CALIFORNIA
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14 In the Matter of the Petition to Revoke Probation
Against:

15 PHILLIPA LOUISE ZYLANOFF, M.D.
16 17311 Beechwood
Beverly Hills, MI 48025

17 Physician's and Surgeon's
18 Certificate No. G 34223

19 Respondent

Case No. D1-1997-81562

ACCUSATION AND
PETITION TO REVOKE
PROBATION

20
21 Complainant, Ron Joseph, as cause for an accusation and revocation of probation
22 alleges:

23 PARTIES

24 1. Complainant brings this Accusation and Petition to Revoke Probation
25 solely in his official capacity as the Executive Director of the Medical Board of California,
26 Department of Consumer Affairs.

27 2. On or about June 13, 1977, the Medical Board of California issued
28 Physician's and Surgeon's Certificate No. G 34223 to Phillipa Louise Zylanoff, M.D.

1 ("Respondent"). The physician's and surgeon's certificate is under suspended status and will
2 expire on February 28, 2003, unless renewed.

3 JURISDICTION

4 3. This Accusation and Petition to Revoke Probation is brought before the
5 Division of Medical Quality, Medical Board of California ("Division"), under the authority of the
6 following sections of the Business and Professions Code ("Code").

7 A. Section 2227 of the Code provides that a licensee who is found
8 guilty under the Medical Practice Act may have his license revoked, suspended for a
9 period not to exceed one year, placed on probation and required to pay the costs of
10 probation monitoring, or such other action taken in relation to discipline as the Division
11 deems proper.

12 B. Section 2234 of the Code provides, in pertinent part, that the
13 Division of Medical Quality shall take action against any licensee who has engaged in
14 unprofessional conduct.

15 C. Section 2305 that the revocation, suspension or other discipline,
16 restriction, or limitation imposed by another state upon a license or certificate to practice
17 medicine issued by that state, or the revocation, suspension or restriction of the authority
18 to practice medicine by any agency of the federal government, that would have been
19 grounds for discipline in California shall constitute grounds for disciplinary action for
20 unprofessional conduct.

21 D. Section 118(b) of the Code provides: "The suspension, expiration,
22 or forfeiture by operation of law of a license issued by a board in the department, or its
23 suspension, forfeiture, or cancellation by order of the board or by order of a court of law,
24 or its surrender without the written consent of the board, shall not, during any period in
25 which it may be renewed, restored, reissued or reinstated, deprive the board of the
26 authority to institute or continue a disciplinary proceeding against the licensee upon any
27 ground provided by law or to enter an order suspending or revoking the license or
28 otherwise taking disciplinary action against the licensee on any such ground."

CAUSE FOR DISCIPLINE AND REVOCATION OF PROBATION

6. Respondent Phillipa Louise Zylanoff, M.D., is subject to disciplinary action and revocation of probation in on account of the following:

A. In a Final Order effective on or about January 2, 2001, in a case entitled *In the Matter of Phillipa Louise Zylanoff, M.D.*, File No. 43-99-1993-00, Docket No. 1999-4656, the Department of Consumer & Industry, Board of Medicine Disciplinary Subcommittee, State of Michigan (Michigan Medical Board) imposed the discipline of public reprimand on respondent's Medical License No. 43-01-055449 for violating a urine drug screening probationary term in violation of section 16221(g) of the Public Health Code of the State of Michigan.

B. The facts and circumstances leading to the imposition of discipline are as follows: On or about June 25, 1998, the Michigan Medical Board issued a Final Order imposing the discipline of probation with terms and conditions on respondent's Michigan Medical License. The disciplinary order followed a hearing of an administrative complaint that substantiated the allegations respondent was alcohol dependent and used alcohol to the extent it impaired her ability to safely practice medicine. Among the terms and conditions of probation was the requirement respondent enrol in and comply with a "non-confidential" substance abuse recovery program.

C. On or about February 7, 1999, respondent failed to participate in a urine drug screening required by the substance abuse recovery program. On or about July 21, 1999, respondent again failed to participate in a urine drug screening required by the substance abuse recovery program. On or about August 30, 1999, respondent again failed to participate in a urine drug screening required by the substance abuse recovery program.

7. As result of the conduct described in paragraph 6, above, which is incorporated by reference herein, respondent is subject to discipline for unprofessional conduct in violation of section 2305 in that the State of Michigan imposed discipline on her Michigan Medical Licence based on conduct that would be grounds for discipline in this state.

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1 8. As result of the conduct described in paragraph 6, above, which is
2 incorporated by reference herein, respondent is subject to revocation of probation in that she
3 violated the laws of the State of Michigan by violating the terms and conditions of her probation
4 in that state.

5 PRAYER

6 WHEREFORE, Complainant requests that a hearing be held on the matters herein
7 alleged, and that following the hearing, the Medical Board of California issue a decision:

8 1. Revoking the probation that was granted respondent in Case No. 16-1997-
9 81562;

10 2. Imposing the penalty of revocation that was stayed in Case No. 16-1997-
11 81562;

12 3. Ordering respondent to pay the Medical Board of California the reasonable
13 costs of the investigation and enforcement of this case, and, if placed on probation, the costs of
14 probation monitoring;

15 4. Taking such other and further action as the Medical Board of California
16 deems necessary and proper.

17 DATED: April 3, 2002

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19
20 D. J. Joseph, CHIEF OF ENFORCEMENT, for
21 RON JOSEPH
22 Executive Director
23 Medical Board of California
24 Department of Consumer Affairs
25 State of California

26
27 Complainant

28 SKH:sol

03573160-SD2002AD0193

LaHammond/Zylmoff - Petition to Revoke Probation